

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION

UNITED STATES OF AMERICA§	2:12-CR-00092-CB-2
	§
vs.	§
	§
MAYANK MISHRA	§ HON. CATHY BISSOON

MAYANK MISHRA'S MOTION TO
EXTEND TIME FOR FILING MOTION FOR NEW TRIAL

TO THE HONORABLE CATHY BISSOON:

DEFENDANT MAYANK MISHRA, through undersigned Counsel, moves the Court to extend the deadline for filing a motion for new trial under Rule 33 for sixty, (60) days. This request is made pursuant to Rule 45 (b).

Defendant was convicted on December 18, 2015. Motion for new trial would ordinarily be due on or before the expiration of fourteen days after the date of conviction. In this case, the fourteenth day falls on January 1, 2016. Because January 1, 2016 is a legal holiday, January 4th, 2016 is the present deadline.

Good cause exists to extend the deadline. Defendant has requested that an independent lawyer review the transcript of his trial

to determine: (1) whether present counsel provided effective assistance of counsel; and, (2) whether present counsel's representation was ineffective due to a conflict of interest brought about by counsel's having to defend counsel's interests from allegations of contempt while at the same defending Mishra on the indicted offense.

Transcript portions relative to the various contempt allegations have been ordered and completed by the court reporter. Counsel has been unable to open or view the transcripts on Pacer because they are restricted. Counsel has contacted the court reporter to obtain copies of the transcripts. Independent counsel has been consulted and requested the ordered transcript excerpts. Independent counsel has also advised that he may need to obtain the full transcript. Independent counsel has requested this additional time to review the record.

For the foregoing reasons, Mayank Mishra prays that the Court extend the deadline for filing of a motion for new trial from its present deadline of January 4, 2016 for 60 days, until March 4, 2016, or, for whatever other length of time the Court deems appropriate.

Respectfully Submitted,

/S/ Norman Silverman
Norman Silverman

917 Franklin, 4th Floor
Houston, TX 77002
(713) 526-1515
(713) 526-1798 Fax
Lawyernorm@msn.com
Texas Bar # 00792207

Appearing Pro Hac Vice through Local Counsel:

Sally Frick
437 Grant St.
1601 Frick Building
Pittsburgh, PA 15219
(412) 261-3340
Fax (412) 261-9211
safattyusa@netscape.net

Certificate of Service

On December 31, 2015, this Motion was electronically file via the ECF system. A copy was contemporaneously forwarded to the government via the ECF system.

/S/ Norman Silverman
Norman Silverman
Attorney for Mayank Mishra